

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE METHYL TERTIARY BUTYL ETHER
("MTBE) PRODUCTS LIABILITY
LITIGATION

This document relates to:

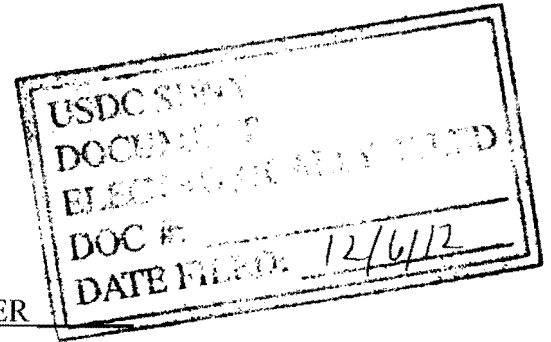
*Commonwealth of Puerto Rico, et al. v. Shell Oil
Co., et al.*, Case No. 07 Civ. 10470

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88

SHIRA A. SCHEINDLIN, U.S.D.J.:

[PROPOSED] CASE MANAGEMENT ORDER

PROTOCOL GOVERNING RULE 30(b)(6) DEPOSITIONS

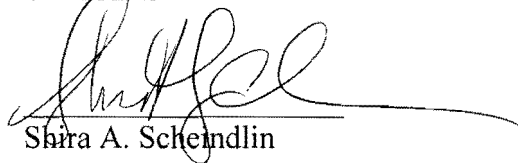


It is hereby ORDERED that the parties to the above-captioned action shall abide by the following protocol:

1. Parties shall provide 21 days notice for any Rule 30(b)(6) deposition. The notice shall identify, with reasonable particularity, the topics to be addressed at the deposition.
2. Written objections, if any, to a Rule 30(b)(6) deposition notice, or any portion thereof, shall be served at least 7 days prior to the deposition. Objections to the deposition notice not provided in writing will be deemed waived.
3. In response to a Rule 30(b)(6) deposition notice, the responding party must proffer a witness(es) to testify on behalf of the responding party, and all such testimony shall be binding on the responding party. If multiple witnesses are to be proffered, such witnesses must be identified in accordance with the requirements of Paragraph 5.
4. In response to a Rule 30(b)(6) deposition notice, the responding party will use good faith efforts to prepare the witness(es) to testify as to each of the identified topics contained in the notice. Good faith efforts include, but are not limited to, having the witness review the relevant documents and speak to other people with knowledge of the noticed topics who are/were employed by the responding party.
5. No later than 7 days prior to the deposition, the responding party must identify the witness(es) it will proffer to provide testimony and, if more than one witness will be offered, the noticed topics on which each witness will provide testimony. To the extent practicable, the multiple witnesses will be made available on the same day.

6. No later than 7 days prior to the deposition, the responding party will produce the documents reviewed by the witness(es) in preparation for the deposition. If the documents have already been produced, the responding party may identify the documents by bates range or other information so that they are easily identifiable. The production of such documents must be substantially complete 5 days prior to the deposition. Any supplementation shall be completed 48 hours before the deposition is scheduled to begin.
7. If the deposition notice calls for production of documents in addition to those addressed in paragraph 6, responsive documents shall be produced no later than 7 days prior to the deposition. The production of such documents must be substantially complete 7 days prior to the deposition. Any supplementation shall be completed 72 hours before the deposition is scheduled to begin.
8. As used herein, "7 days prior" refers to seven business days. If the calculated day falls on a weekend or holiday, production and/or identification shall occur on the previous business day.
9. Nothing contained herein shall be construed as relieving a responding party of its obligations pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure.
10. The parties shall use best efforts to resolve any differences concerning compliance with this Agreement. If a responding party believes that it cannot comply with one or more portions of this Agreement, such party shall inform the requesting party in writing as early as possible as to why compliance with the protocol, or any part thereof, is unreasonable or not possible. No party may seek relief from the Court concerning compliance with the Agreement until it has met and conferred with the other party to this action.

SO ORDERED


Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
December 5, 2012